

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.671 OF 2006.

IN

CRIMINAL APPEAL NO.615 OF 2006.

Ramesh Kondiba Bhosale
@ Rakesh Ghadge.

... Applicant.

Versus.

The State of Maharashtra.

... Respondent.

Shri Shekhar Ingawale for the Applicant.

Shri U.V.Nikam, A.P.P.for the Respondent-State.

CORAM : ABHAY S.OKA, J.

DATED : 8th November, 2006.

P.C.:

1. Heard the Advocate for the Applicant and the learned A.P.P. for the State. Perused the compilation of notes of evidence. The appeal against conviction is already admitted.

2. The Applicant has been convicted for offences punishable under sections 366 and 497 of the Indian Penal Code. The substantive sentence is of four years R.I.

3. The Applicant has been acquitted of the charge framed under sections 363A and 376 of the Penal Code. Perusal of the deposition of the husband of the prosecutrix shows that in the F.I.R. he described the prosecutrix as a major. There are number of improvements made in the testimony of the prosecutrix. The Applicant was on bail throughout the trial. There

is no allegation of misuse of the liberty granted. However, the Applicant will have to deposit the fine amount.

4. Hence the following order is passed:

- i) The Applicant shall be enlarged on the same bail on which he was enlarged during the pendency of the trial subject to filing of fresh bail bonds.
- ii) The order granting bail will be given effect to only after the fine amount is deposited.

Judge.